Resort Village of "XX"
Basic Planning Statement

Resort Village Model

Draft Document

All statements in this document are meant to be samples that have been common to many resort villages. However the statements must each be examined for relevance to a particular resort village and each resort village using this model may wish to add to, delete, or significantly change any statement. The document is intended as a sample guide only. The resort village should have their final bylaw reviewed by a solicitor. It is recommended that a professional planner licensed under The Community Planning Profession Act be employed in the preparation and adoption of a basic planning statement and zoning bylaw.

102-05815/

RESORT VILLAGE OF "XX"
BYLAW NO. ___/200__

A Bylaw of the Resort Village of "XX" to adopt a Basic Planning Statement.

Whereas the Council of the Resort Village of "XX" deems it necessary to adopt a Basic Planning Statement in order to ensure the protection of the quality of the environment of "XX" Lake as a resort area and to ensure orderly development for the Resort Village of "XX".

Whereas the Council of the Resort Village of "XX" has, by resolution authorized the preparation of a Basic Planning Statement for the Resort Village pursuant to Section 39 of the Planning and Development Act, 1983;

And Whereas, the said Planning and Development Act, 1983, provides in Section 44 that Council may, by bylaw, adopt a Basic Planning Statement;

Therefore, the Council of the Resort Village of "XX" in the Province of Saskatchewan, in open meeting hereby enacts as follows:

1. This Bylaw may be cited as the ""XX" Basic Planning Statement".

2. "The Basic Planning Statement" of the Resort Village of "XX", is attached as Schedule A to and forms part of this Bylaw.

3. This Bylaw shall come into force on the date of final approval by the Minister of Municipal Affairs and Housing.

_____
MAYOR

SEAL

_____
ADMINISTRATOR

Read a First time this , day of , 200__.

Read a Second time this , day of , 200__.

Read a Third time and adopted this , day of , 200__.

SCHEDULE A

BYLAW No. ___/200__

RESORT VILLAGE OF "XX"

This is Schedule A as attached to and forming part of Bylaw No. ___/200__, the Basic Planning Statement of the Resort Village of "XX".
BASIC PLANNING STATEMENT

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VILLAGE OF "XX"
BASIC PLANNING STATEMENT

This is Schedule A as attached to and forming part of Bylaw No. ___/200__, the Basic Planning Statement Bylaw.

1 INTRODUCTION

1.1 Authority

In accordance with Sections 39 and 42 of the Planning and Development Act, 1983, the Council of the Resort Village of "XX" has prepared and adopted this Basic Planning Statement to provide the Resort Village with goals, objectives and policies relating to the future land use and development of the resort area and its environment. *(or other appropriate statement of general intent).*

1.1 Scope

The policies of this Basic Planning Statement shall apply to the incorporated area of the Resort Village. Objectives and policies related to areas outside the current limits of the Resort Village shall guide council in its actions regarding the land and negotiations with neighbouring municipalities. Policies that address the future development outside the village limits will take effect on annexation of those areas to the Resort. All development shall conform to the objectives and policies contained in this Basic Planning Statement.

1.2 Background

The Resort Village of "XX" is located on the … *(identify the location and site of the resort area).*

The Resort Village "XX" is located in the Rural Municipality of _____ No. ###. The nearest urban centre is… *(Identify the relationships with other municipalities and the main source areas for the ratepayers principal residences.).*

The primary attractions to the site include the forest environment, superior fishing, and proximity to areas of big game hunting. Council wishes to conserve these attractions, and particularly to maintain the forest environment of the Resort Village. *(Identify the main attractions valuable to people who use the resort area.)*

The Resort Village of XX Lake was subdivided as cottage subdivision and commercial resort subdivision in 19xx, and became a village in 19xx to achieve…. In 19xx, the Resort Village contained 181 lots, and 4 parcels. 7 lots and one parcel contained resort commercial development (e.g.). *(A summary of the development history and development issues is common).*

2 COMMUNITY GOALS

The goals for the Resort Village of "XX" are identified as follows:

2.1 To protect and enhance the environmental quality of the Resort Village and its surrounding area for the primary purpose of developing a recreational and residential community for its citizens.

2.2 To provide for the orderly and appropriate development of land, consistent with and complementary to the primary purpose of the community, by reason of appropriate size, quality and proper location of development.

2.3 To provide for appropriate resort commercial development within the Resort Village that is compatible with the residential development.

(These are common for resort areas; they can be changed and others may be added depending on local values and concerns.)

3 RESIDENTIAL DEVELOPMENT

3.1 Issues and Concerns

(Discussion of physical issues – e.g.) The terrain within "XX" has a relatively high degree of variation, particularly within sight of the lake, and much of the shoreland contains areas of potential instability. A particular concern is that any new development and subdivision should avoid damaging steep slopes, inappropriate cut, fill, construction, and removal of trees and vegetation on areas that are potentially hazardous areas from the point of view of bank stability and erosion.

(Discussion of current development characteristics – e.g.) The character of residential development in the resort village has been one of relatively recent, new construction, often of a size compatible with possible permanent residence. It is of concern that this character should be maintained and enhanced by any future construction and development in the area. Also of concern is the possibility of extensive fire damage given limited fire protection available. It is of concern that the residential areas may over time, become unsightly through inappropriate storage of materials in the residential areas.

(Discussion of future development issues – e.g.) Council recognizes that the Resort Village provides one of very few access points to _____ Lake for the public. Therefore a provincial demand exists for resort facilities on _____ Lake. Council desires that any such facility should be located and be of a scale that conflict with residential use will be minimized. *(If areas are to be designated for new residential development they are normally discussed here.)*

(Discussion of special use or development issues – e.g.) Mobile home development is scattered in various parts of Resort Village, and Council wants to limit the areas of the community where they may locate to minimize incompatibility with other types of residential uses.

3.2 Objectives

- To maintain the quality and character of residential development within the resort village.
- To decrease the risk of fire in residential development
- To avoid the intrusion of scattered commercial development in residential areas.
- To control development on hazard lands.
- To avoid the intrusion of private facilities on Resort Village or public land.
- To provide for the possibility of some future residential development in the area of the Resort Village.
- To conserve the forest environment through the appropriate protection of trees within the Resort Village.

3.3 Policies

3.3.1 The bylaws of Council shall encourage the development of dwellings of at least a size and standard of construction compatible with existing development.

3.3.2 The bylaws of Council will provide for adequate separation between dwellings, clear of fire hazards.

3.3.3 Council will investigate ways of improving fire protection. *(Discussion of specific programs such as acquisition of fire fighting equipment of mutual aid agreements may be included to indicate a service level policy.)*

3.3.4 Council will by bylaw regulate the distances of buildings or structures from the property line, the minimum space to be allowed between buildings and the property lines of the lots on which they are constructed, and the bulk of the buildings.

3.3.5 The zoning bylaw will provide for mobile homes as a form of residential development within residential areas, at Council's discretion. Council's discretion shall be exercised based on the following guidelines:

- The mobile home will be compatible in size and quality with existing residential development in the area.
- Mobile homes may be subject to special standards for size, construction, attachment to the ground, and provision for septic disposal.
- Modular homes will be considered as a form of mobile home. *(Most resort areas have policies on the use of mobile homes and travel trailers as cottages.)*

3.3.6 Council may consider future residential subdivision development where it would be in proximity with existing development, and not located on hazard lands. *(The potential for new developments either within or adjacent to the resort village is usually the most contentious policy issue that council will need to address in a plan.)*

3.3.7 The zoning bylaw will provide for other facilities recreational uses in a residential district that are consistent with and complementary to the overall residential and recreational use of the district.

3.3.8 The zoning bylaw will contain provisions for the preservation of mature trees.

4 BUSINESS DEVELOPMENT

4.1 Issues and Concerns

The existing resort commercial development has been an integral and focal part of recreational use and development in the Resort Village, providing needed and desired services for residents and visitors alike. Council recognizes the need to have a viable commercial sector to provide these services, and to ensure that they can be maintained in an attractive state.

Council also recognizes that there may be opportunities for some new commercial ventures within an appropriate area of the Resort Village. It wishes to provide for those commercial developments that are compatible with the resort nature of the community, and are sensitive to the forest environment that makes the Resort Village attractive.

(Some resort municipalities have no principal commercial uses and desire to restrict development to residential recreational and associated uses. However, increasing second home and permanent development often requires some services.)

As more of the cottages become year round dwellings, home based business become more common. Council will provide for these uses where it is satisfied that they will not be apparent and objectionable to the neighbouring residences or incompatible with the residential recreational focus of the village.

4.2 Objectives

- To provide for the existing commercial resort development in the Resort Village and for future improvements to these facilities.
- To provide for such other commercial development as may be complementary to the residential and recreation character of the Resort Village
- To prevent inappropriate commercial development from locating in residential areas of the Resort Village.
- To provide for limited business uses in residential areas in the form of home occupations and tourist cabins compatible with cottage development.

4.3 Policies

4.3.1 The zoning bylaw will provide for general commercial resort development within the areas designated for commercial use on Map 1 - Future Land Use. Council may consider adding additional land to this area by rezoning of residential land where such land is abutting existing commercial development.

4.3.2 Council may provide for tourist accommodations within residential areas at Council's discretion. Council's discretion shall be exercised based on the following guidelines:

- The tourist accommodation shall only consist of rental residential units, and shall not include restaurants, confectioneries, commercial recreation facilities or other ancillary uses of a commercial nature.
- The site should have good access to "Lake Boulevard" and the main access road to the resort village, be located in proximity to the commercial areas, and in preference where several dwelling units are proposed, located on a corner site.
- The site shall be of sufficient size to provide for all needed parking on the site, in conjunction with the operation.

(Policies regarding tourist accommodations often depend on existing development and resort history. In tourist development exists the plan should provide scope for improvement and expansion to ensure a reasonable chance of economic success to prevent deterioration of the use.)

4.3.3 Existing commercial developments within the area designated for residential development on Map 1 - Future Land Use may be initially zoned to a commercial district. These sites may be rezoned to residential, once they are no longer used commercially. *(This handles existing poorly located business – they should be identified on the future Land use map as existing development to be recognized in the zoning bylaw, but designated for future residential.)*

4.3.4 Other business development shall not be permitted in residential districts except in the form of limited accessory home occupation, at Council's discretion. Council's discretion shall be exercised based on the following guidelines:

- The home occupation should not cause any apparent variation from the residential appearance of the dwelling.
- The home occupation will not require the construction of an additional building or other structure.
- Exterior storage of materials shall not be necessary in the operation of the home occupation.
- The participants in the home occupation at the dwelling will be restricted to the residents of the dwelling.

5 RECREATIONAL, PARK AND OPEN SPACE DEVELOPMENT

5.1 Issues and Concerns

(In a resort village this is often the most important area of policy – the following examples are from a specific lake resort village and may be specific to that municipality alone they are reproduced here as an example of the type of issues that may be addressed.)

The recreational facilities within the Resort Village are comprised of a mixture of developments on public and private lands. The Resort Village owns Block 9 abutting the lakeshore, a parcel of about 2 hectares that is relatively centrally located, contains a playground and abuts the Resort Village boat launch ramp. The Resort Village proposes to use this parcel for future community centre facilities that may be developed to complement the private facilities in the area.

Municipal reserves in block 1 (R1), Block 13 (PR1 and PR2), and Block 11 (PR3) are generally located on hazard land unsuitable for development. R1 and PR3

can provide public access to the lake as passive parks. PR1 and PR2 are unsuitable for any development except minor footpaths.

(At this point if council is proposing to allow for any temporary developments or storage on Municipal reserve, It should discuss the types such as temporary docks indicate the requirement for municipal approval and permits involved.) The prohibition of any private development cutting of trees or landscaping of municipal lands should be discussed and included in policies together with any types of development to be done for the village by volunteer groups. It should be clear that all such development is the property of and under the control of the village and its council.)

There is a significant slope located south of Blocks 5, 10, 12, and 13 and the remaining areas of abutting Birch Avenue that forms part of the valley wall for this part of _____ Lake. Council is concerned that this slope may be potentially unstable. The existing trees and vegetation both can both aid in stabilizing the slope and providing an important visual buffer for the resort and residential development area. Therefore council wishes to exclude this area from any potential development proposals except for dedication as environmental or municipal reserve. This land should only be used for passive recreation involving, at most, pedestrian paths.

The shoreland abutting the bank of _____ Lake is highly subject to erosion. As the lake is a new reservoir with a 2 meter working range for water level, and has considerable amounts of floating debris from submerged forest, most types of structures, including common forms of docks and boathouses are inappropriate on the land abutting the water's edge. A private marina involving substantial use of rock fill has been developed adjacent to Poplar Drive, to provide an artificial harbour for watercraft. The susceptibility of the bank to erosion has necessitated substantial shoreland modification for both public and private lands. Council is seeking control over development on this shoreland. Consistent with the requirements of Saskatchewan Power that are aimed at avoiding problems from losses of inappropriate shoreland development, only shoreland stabilization and landscaping improvements on the area north of the property lines that currently form the Resort Village boundary would be permitted, except as related to the maintenance and operation of the marina and the public boat launch.

The areas designated as future development are currently used for a significant seasonal campground with associated recreational areas, limited crop farming, and forested open space. Council supports the continued use of the land for a seasonal campground. Other developments in the area may be suitable within the area not designated hazard land. Council wishes to provide for the existing farm uses, as long as no further clearing of the land occurs and the raising of livestock is not involved.

Sufficient land exists within commercial areas and the seasonal campground to provide for camping by the public. Therefore council wishes to restrict camping to designated campgrounds.

5.2 Objectives

- To maintain and protect the natural forest environment of _____ Lake for its visual, environmental, and recreational value to the community.
- To designate and develop a community centre within the Resort Village consistent with the recreational needs and desires of Resort Village residents.
- To provide for existing uses within the un-subdivided portions of the Resort Village, and to control their expansion.
- To provide for public access to, and stabilization of, the lakeshore. And to minimize physical and visual obstructions of shoreland public lands.
- To provide for municipal reserves suitable for public recreational use where not required to be dedicated as hazard lands or for environmental protection.
- To protect hazard lands from inappropriate development.
- To provide for such facilities as a marina, boating facilities, sports fields, a community hall and other facilities as may be desired by the community in the future.

5.3 Policies

5.3.1 Within the area designated as potential open space development shall avoid all hazard land. In addition to any other geotechnical or environmental reason for designation, hazard land shall include all land with a slope of greater than an average of 20% over a distance of 3 metres or more. Council may require such lands to be left as open space or to be dedicated as environmental or municipal reserve, together with such additional land as Council considers necessary to protect the slope, when considering any subdivision or rezoning in area.

5.3.2 Within the area designated as Future Development on Map 1 "Future Land Use" any expansion of the area devoted to farmland, seasonal campground or other productive use shall require a development permit. No clearing of land will be permitted without a development permit for an approved use.

5.3.3 In general public recreational and community facilities will be developed within the area designated as Community Centre on Map 1, unless the land is found unsuitable for the particular use by council.

5.3.4 Major facilities shall only be developed after opportunity for public comment has been given to the electorate of the Resort Village.

5.3.5 Marinas shall be considered a commercial use, and may only be developed or expanded when all required provincial and municipal standards and permits have been obtained and met.

5.3.6 The bylaws of Council will control or prohibit the use of open space lands for camping and other similar private use. Camping will only be permitted on private lots in residential areas for guests of a residence on the lot, and in designated campgrounds with appropriate sanitary facilities.

5.3.7 Any lands within the Resort Village located between private lots and water's edge of the lake may only be developed with landscaping and shoreland projection measures, after the permission of council and any required provincial permits have been obtained.

6 SERVICES

6.1 Issues and Concerns

(In a resort village most services are seasonal and an individual responsibility. A municipality must provide for waste disposal sites, whether on it own or by contract.)

The level of services required in the Resort Village is relatively minimal. Sewage disposal and water supply are the individual responsibility of the property owners. All properties are required to use pump-out septic tanks to dispose of sewage and liquid waste. Some properties are served with summer water supply by agreement with the private resort operator. Others use individual or communal private well systems. Some persons use filtered lake water as a domestic supply.

The size and development of most roads is considered adequate at this time. Road maintenance and some limited snow clearance is contracted for by the Resort Village.

The Resort Village operates a sanitary landfill located in the abutting municipality, and provides summer garbage collection. As this landfill is to be closed, the village is negotiating with the other municipalities in the area to use a new regional facility.

6.2 Objectives

- To maintain services at existing levels.
- To ensure future development will not create an undue burden on the resources of the Resort Village.
- To ensure convenient access to each lot created in the Resort Village.
- To provide for higher levels of service where desired and financed by the residents of the municipality benefited by the service.

6.3 Policies

6.3.1 The bylaws of the Resort Village will require property owners to provide for appropriate provision for sewage disposal and disposal of solid waste to the facilities for disposal approved for the Resort Village.

6.3.2 Any development of communal water systems shall only be considered on a strict user cost and user pay system. Any system providing for multiple or public users must be tested at regular intervals for quality of water.

6.3.3 As a general policy the municipality will provide new services to individual private properties on a user pay principle, an only after it is satisfied that sufficient demand exists for the service.

6.3.4 Where a subdivision of land will require the installation or improvement of municipal services and streets, the developer will be required to enter into a servicing agreement with the Village, pursuant to *The Planning and Development Act, 1983*, to cover the installation or improvements including, where necessary,

charges to cover the costs of improvement or upgrading of off site services. Council will, by resolution, establish the standards and requirements for such agreements and charges, including, if deemed necessary by Council, the posting of performance bonds or letters of credit. The Village will consider sharing in the costs of a service only where the proposed service is of wider benefit to the whole community.

6.3.5 Council recognizes that changing environmental regulations may require a substantial change in the methods uses for solid waste disposal. To minimize the potential costs, Council will investigate the possibility of entering into a regional waste disposal system and agreement with neighbouring municipalities. The municipality will investigate the use of a transfer station at the neighboring urban municipalities as an alternative to the existing resort village landfill.

7 IMPLEMENTATION

7.1 Zoning

7.1.1 The principal means of implementing the Basic Planning Statement shall be the Zoning Bylaw No. ___/200__ to be adopted in conjunction herewith.

7.1.2 No development, which is inconsistent with this Basic Planning Statement, shall be permitted.

7.1.3 The purposes of the zoning bylaw shall be to implement the objectives and policies of the Basic Planning Statement to provide for the amenity of the area, and the health, safety and general welfare of the inhabitants of the Resort Village, through proper land use control.

7.1.4 Amendments to the zoning bylaw shall only be considered where consistent with the Basic Planning Statement.

7.1.5 The zoning bylaw will implement the land use policies contained in this Basic Planning Statement by prescribing and establishing zoning districts for residential uses, commercial and industrial uses, and agricultural and development reserve lands. Regulations within each district will govern the range of uses, site sizes, setbacks, building locations, and any other factors of particular concern within the district.

The purpose of these districts shall be:

Residential District- to provide for single unit dwellings and associated accessory use, and other uses complementary or ancillary to residential-recreational use.

Commercial District- to provide for resort commercial and commercial recreational development compatible with the resort development in the Resort Village.

Future Development District- to provide for natural parks and forested recreation areas, municipal utility and service facilities, and existing non-intensive uses, while reserving some of the land for future development when such development may be warranted.

Council may consider the addition of additional districts if there arises a special need for specific controls in a particular area.

7.2 Other Implementation Tools

7.2.1 The bylaws and resolutions of Council shall not be inconsistent with this Basic Planning Statement.

7.2.2 Council shall co-operate with the provincial authorities to enforce fire safety and environmental protection regulations within the limits of the Resort Village.

7.2.3 Council will exercise suitable municipal control over the use and development of municipal reserves.

7.2.4 Subdivisions of private land that require the provision of new streets or other public services shall only be approved in conjunction with a servicing agreement. A servicing agreement shall provide for the construction of services required for the subdivision either totally at the expense of the proponent, or partially at the expense of the proponent and of the municipality as may be negotiated with council. The Resort Village will only consider sharing of costs of a service that will be of wider and direct benefit to the community beyond the area of the proposed subdivision. "Wider benefit" does not include the mere expansion of the tax base.

7.2.5 Council will pursue annexation of land to the Resort Village as and when necessary to implement this Basic Planning Statement. Council may consider annexation of adjacent lands to facilitate the appropriate design, development, servicing, and integration of any new resort areas adjacent to the Resort Village. Council will seek annexation of any resort developments in abutting quarter sections.

7.2.6 Council will support discussions with neighbouring municipalities which are aimed at ensuring development on XX Lake enhances and protects the environment of the lake for all its users

8 MAPS

8.1 Future Land Use

8.2 Proposed Major Streets and Utilities *(If needed)*

8.3 Constraints *(If needed –this is often needed with resort villages to identify hazard lands)*